

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot and Docking Commission
August 15, 2017**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, August 15, 2017 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:06 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (Via tele-conference); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (present).

Approval of the July 18, 2017 regular meeting minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to approve the July 18, 2017 meeting minutes. All voted in favor.

Resolution #17-25 to approve the August 15, 2017 Treasurers
Report

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass Resolution #17-25 to approve the August 2017 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Hudson River Update - There has been a report of one transport job on the Hudson River since the last meeting.
- B. Distribution of Annual Report and Commission Regulations - The annual report and updated regulations were sent out to every New Jersey State licensed pilot and apprentice on Friday, July 21, 2017.

Copies of the Annual report were also distributed to the Governor, members of the legislature and interested parties. The Commission received very positive feedback on the report.
- C. Apprentice Nicholas Pitch State Exam - Apprentice Nicholas Pitch took his state licensing exam last week. He passed all modules with high marks, scoring a 100 on Rules of the Road. He will come before the Commission on September 19, 2017 to be sworn in and will join the rotation board on October 1, 2017.
- D. Apprentice Eric Lavin State Exam - Ms. Stuckey provided a letter to the Commission from Harbor Pilots Association, stating that Eric Lavin has completed his apprentice training program and is ready to sit for his state licensing exam. After today's meeting, Ms. Stuckey will sit with Eric to provide him with a study guide and schedule his exam.
- E. Training seminar with Captain Sondergaard - The seminars are scheduled to take place on Friday, August 18th and Friday August 25th, 2017. Each day, there will be two sessions with approximately six pilots/apprentices attending each session. Captain Steve Naples who is a New York Sandy Hook Pilot has agreed to participate and give a refresher course on the pilot's portable unit.
- F. Retired Commissioner Richard Amster's burial at sea - Commissioner Amster's burial at sea is scheduled for August 24, 2017. The boat will leave from Port Newark and boarding will begin at 4:30pm. Captain John Oldmixon will update the Commission on the berth number when finalized.
- G. Legislative Cruise - Commissioner Dacey has gotten positive feedback from some of the legislatures on the annual report. Because of the interest, the Commission has decided

to rejuvenate the Legislative Cruise. The Commission has scheduled the cruise for Tuesday, September 19th following the September board meeting. Ms. Stuckey provided a copy of the letter that will go out to the legislature and assembly.

- H. Maritime Pilot Monthly Apprentice Training Report - Ms. Stuckey provided the Commission with a copy of the maritime pilot monthly apprentice training report. Chris Maglin, the new Director of Operations has changed the format to provide additional information; specifically it provides information on stop up dates, current assignments and number of ship rides to date.
- I. Meeting with Olthuis Maritime - Ms. Stuckey met with Olthuis Maritime on July 28, 2017. With help from DAG, David Kahler, the contract was finalized and executed in time to get the test prepared for Apprentice Nicholas Pitch. He has also been given the Atlantic City test from 1991 to update so that the Commission can begin the process of licensing pilots for that route.
- J. Discussion regarding surge damage with the large vessels - The Commission have been getting phone calls from the Coast Guard regarding issues with surge causing lines to part that is reported hours sometimes even days after the vessel has passed. These issues were brought up at Harbor Ops and the terminal roundtable meeting. Ms. Stuckey has also provided the Coast Guard with the latest advisory from the Deep Draft Committee regarding the additional steps that need to be taken to ensure lines are properly tendered. When Ms. Stuckey receives these types of calls from the Coast Guard, she contacts the Association Presidents to find out who the pilot was and then asks the pilot to provide the Commission with a statement specifically what time they passed, at what speed, did they notice any issues, etc. Since dead slow on these vessels is around eight knots, there is not much that can be done to eliminate the surge and the terminals are going to have to ensure that when a vessel passes, the lines are tight, spread out and tendered. Ms. Stuckey believes it would be a waste of time to investigate each occurrence unless it is warranted.

Captain Robert Flannery stated that the surge issue is a terminal issue and that the Coast Guard should meet the pilots halfway to ensure that the lines are tendered when boats are passing.

Ed Kelly reports that there have been multiple public meetings on this subject, so everyone involved is well aware of this issue.

Ms. Stuckey informed the Commission that there had been a change in the agenda. She received a call from Captain Dennis Holmes who was scheduled to come before the Commission for his annual appearance. Captain Holmes for personal reasons, decided to retire from Metro Pilot's Association. The Commission will recognize Captain Holmes with a plaque in open session.

K. New York Annual Report - Ms. Stuckey provided the Commission with a copy of the New York Commission's annual report.

L. Port Industry Day - Port Industry day is scheduled for October 2, 2017. Ms. Stuckey informed the Commission that if anyone was interested in attending, there was still time to register.

M. Sandy Hook Industry Cruise - Sandy Hook Industry cruise is scheduled for Friday, September 15th. All will receive an evite directly from Sandy Hook.

N. Vacation Schedules - Ms. Stuckey has yet to schedule her vacation time, but Mr. Hawkins will be going on vacation the week of August 28th.

O. Articles of Interest - Ms. Stuckey provided several articles of interest. She highlighted one, The Delivery of the tire IV tractor tug delivered to McAllister on August 10, 2017. It is said to be the first tier IV tug on the East Coast. She encouraged the Commission to read the others at their leisure.

Public Comment (s)

Comments from Captain John Oldmixon, President, Sandy Hook Pilots Association:

Captain Oldmixon reports that Sandy Hook is very proud of apprentice Nicholas Pitch.

He expressed how pleased he is that Ms. Stuckey, Captain Naples and Captain Sondergaard were able to put the training together.

Captain Oldmixon informed the Commission that he will need all of the information pertaining to Commissioner Amster's burial at sea and the Legislative Cruise in-order to complete the plans.

Ms. Stuckey States that her plans are to send out letter invitations to all involved and after all the responses are received, she will update Captain Oldmixon on the details.

Captain Oldmixon feels that the surge issue is not a direct consequence from the large ships arriving. He believes the large ships arriving have just brought the issue to light. He also states that Captain Naples plans on retiring in November 2017.

Ms. Stuckey noted it will take a joint effort to fix the surge issue. If the terminals do not manage their part, the Commission will not hold the pilots responsible.

Comments from Captain Robert Flannery, Captain, Metro Pilots Association:

Captain Flannery thanked Captain Richard Reilly and Captain Dennis Holmes for their years of service with the Metro Pilots Association.

Captain Flannery reports that the new proposed dock at Trembley Point is in the works. The contractors will meet with the steering Committee in September, 2017 with the plans. He will keep the Commission informed of the details after that meeting.

He also reports that on September 7, 2015 the first 14,000 TEU container vessel will arrive. He stated that after a few of Metro's pilots retire, they will still have the same number of pilots because of the apprentices that will be licensed.

Committee Reports

A. Audit Committee :

- I. The Audit Committee met to review the proposals that were received and has a recommendation for the Commission. The resolution will be voted on later in the meeting.

B. Investigation Committee :

- I. MSC Nigun - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots, the file closed and a copy of the report be sent to the vessel's owner, agent and the Coast Guard. A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.
- II. Malika Niree - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots, the file closed and a copy of this report be sent to vessel's owner, agent and the Coast Guard. A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.

Presentation of Retirement Plaque to Captain Richard Reilly

The Commission presented Captain Reilly with a plaque of appreciation for his hard work over the years.

Captain Riley thanked the Commission and specifically Ms. Stuckey for helping to make their transition into state licensure an easy one.

Presentation of Retirement Plaque to Captain Dennis Holmes

The Commission presented Captain Holmes with a plaque of appreciation for his hard work over the years.

Captain Holmes thanked the Commission.

Resolution #17-26 to Hire an Auditor

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #17-26 to approve the hiring of an auditor. All voted in favor.

Executive Session

WHEREAS, the open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:38 AM.

Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:15 AM.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:16 AM.